

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DERRICK ERVIN,

Petitioner,

v.

CV 19-1218 KG/JHR

JAMES JANECKA, et al.,

Respondents.

ORDER

THIS MATTER is before the Court on Petitioner Derrick Ervin's Motion and Affidavit for Leave to Proceed under 28 U.S.C. § 1915 [Doc. 11], filed September 3, 2020. Petitioner initially filed a Motion to Proceed under 28 U.S.C. § 1915 [Doc. 2] on December 30, 2019. After thoroughly reviewing Petitioner's submissions and the relevant law, the Court denied Petitioner's initial Motion to Proceed under 28 U.S.C. § 1915 on May 5, 2020. [Doc. 3]. Petitioner then paid the \$5.00 habeas fee on May 20, 2020. [Doc. 4]. Petitioner has therefore satisfied his obligation regarding the civil filing fee, and the Court will deny the current Motion for Leave to Proceed under 28 U.S.C. § 1915 as moot.

Accordingly, **IT IS ORDERED** that the Motion for leave to Proceed under 28 U.S.C. § 1915 [Doc. 11] is **DENIED AS MOOT**.



JERRY H. RITTER
UNITED STATES MAGISTRATE JUDGE